

Core Services Category: Agriculture, Energy and Natural Resources

Study Area: Intertribal Ceremonial Office

High Level Recommendation: Elimination

**Problem Statement:**

The Intertribal Ceremonial Office (ICO) duplicates the function of the Tourism Department and to a lesser extent the Indian Affairs Department. Further, the Intertribal Ceremonial has shown minimal success in fulfilling its mission, has not demonstrated results – as indicated by performance measure data, and is a lower priority appropriation item in this revenue constrained environment.

As noted in the June 30, 2007 annual audit, four entities administer, promote, and produce the Intertribal Ceremonial event; however, there is not a clear understanding of the functions of each entity. The entities include the Intertribal Ceremonial Office (ICO) – a state agency, the Gallup Intertribal Ceremonial Association (GICA) – a non-profit, an Intertribal Ceremonial Board – part of the non-profit and administrative oversight is provided by the New Mexico Tourism Department to ICO.

**Background and Findings:**

- The department suffers from an unclear mandate and conflicts with local government functions. The Gallup Intertribal Ceremonial is a community event, governed by the Gallup Intertribal Ceremonial Association (GICA), a nonprofit corporation, with help from the state.
- Prior to FY10, the department received a direct appropriation to support FTE and promote the event. Without an explicit explanation, the governor vetoed 93.8 percent of the FY10 operating budget and all of its FTE. The community did however; receive funds in FY10 and FY11 to advertise the ceremonial event from the Cooperative Advertising program at the Tourism Department.
- The veto demonstrated the ability of the local government and nonprofit to continue the event with little state oversight.

**Bill draft under Consideration:**

Bill draft # .182720.1 proposes to repeal Sections 9-15C-1 through 9-15C-5 NMSA, the Intertribal Ceremonial Act. The bill draft would transfer all functions, contractual obligations, appropriations, money, records, furniture, equipment and other property of the Intertribal Ceremonial Office and the Intertribal Ceremonial Board to the Tourism Department.

This bill relates to another bill draft regarding the proposed Commerce Department. The Commerce Department bill draft would also repeal the Intertribal Ceremonial Act; however, there is no mention of transferring the functions of the Intertribal Ceremonial Act elsewhere.

### **Fiscal Implications:**

	Potential Savings (in thousands)				
	General Fund	Other State	Inter- agency	Federal	Total
Personal Svcs and Empl Benefits	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Contractual Services:	\$87.6	\$0.0	\$0.0	\$0.0	\$87.6
Other Costs	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
<b>TOTAL</b>	<b>\$87.6</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$87.6</b>
Source: LFC Files - FY11 Operating budget as Adjusted by Laws 2010, Ch. 6, Sec. 14					

### **Implementation Plan:**

- Introduce legislation to repeal the Intertribal Ceremonial Act.
- Transfer assets, obligations, functions of the act to the Tourism Department.

### **Other Items to Consider:**

This bill would transfer the assets, contractual obligations, and functions to the Tourism Department. However, the Tourism Department notes that it would require the level of funding that was previously appropriated to ICO, and possibly more, in order to assume the functions of the Intertribal Ceremonial Act.

As an alternative, the ICO could be repealed without a transfer of the 'functions' to the Tourism Department. A complete repeal of the Act would put the ceremonial event on an even footing with other tourism related events and decouples the event from direct state support.